

9/4/2002

DECLARATION

I, Dr. Hubert Menne, state, that I am a resident of D-65719 Hofheim/Taunus, Federal Republic of Germany; that I am a citizen of the Federal Republic of Germany; that I am a agriculturist having graduated at the Georg-August University of Göttingen, Federal Republic of Germany, in 1997; that from 1998 I was employee of Hoechst Schering AgrEvo GmbH, Berlin, Germany in the Biological Research Department in Frankfurt as agriculturist; that since December 1999 I am employee of Aventis CropScience GmbH, now Bayer CropScience GmbH, Frankfurt, Germany; that I am in charge of the herbicide group in the Biological Research Department of Bayer CropScience GmbH at their facilities in Frankfurt/M.; that I am familiar with U.S. Patent Application Serial No. 09/499,997 filed February 08, 2000 for PHENYLSULFONYL UREAS, PROCESS FOR THEIR PREPARATION AND THEIR USE AS HERBICIDES AND PLANT GROWTH REGULATORS, that I consider myself qualified by my knowledge of biology and agriculture and especially of plant physiology, plant protection, weed control and environmental fate of pesticides and by my 9 years experience in this field; and that I have made the following observations to wit:

In my Declaration of November 20, 2001 in table 1 the results of a biological test of compound EI versus the compounds VI and VII are shown.

The test shows that compound EI has a significantly higher herbicidal activity against the critical weed *aena fatua* (AVEFA) than compounds VI and VII at the dosage rate of 80g Al/ha and even more at 20g Al/ha. This alone is unexpected and superior.

Moreover, compound EI shows a very high level of activity against *alopecurus myosuroides* (ALOMY) and *amaranthus retroflexus* (AMARE) at dosage rates of 80g Al/ha. This very high level of activity is fully maintained even at a much lower dosage rate of 20g Al/ha.

At variance compound VI shows a lower level of activity against both *alopecurus myosuroides* and *amaranthus retroflexus* at dosage rates of 80g Al/ha. Moreover at a lower dosage rate of 20g Al/ha the level of activity is further decreasing.

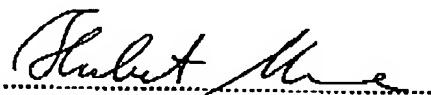
The compound VII shows a very low level of activity against *alopecurus myosuroides* at dosage rates of 80g Al/ha. Moreover at a lower dosage rate of 20g Al/ha the level of activity against both *alopecurus myosuroides* and *amaranthus retroflexus* is decreasing.

In summary, the level of activity of compound EI is much higher than the level of activity of the compounds VI and VII, especially at low dosage rates. These results are unexpected and superior.

9/4/2002

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Frankfurt am Main,
this 04 day of September, 2002



(Dr. Hubert Menne)

11/20/2001

DECLARATION

I, Dr. Hubert Menne, state, that I am a resident of D-65719 Hofheim/Taunus, Federal Republic of Germany; that I am a citizen of the Federal Republic of Germany; that I am a agriculturist having graduated at the Georg-August University of Göttingen, Federal Republic of Germany, in 1997; that from 1998 I was employee of Hoechst Schering AgrEvo GmbH, Berlin, Germany in the Biological Research Department in Frankfurt as agriculturist; that since December 1999 I am employee of Aventis CropScience GmbH, Frankfurt, Germany; that I am in charge of the herbicide group in the Biological Research Department of Aventis CropScience GmbH at their facilities in Frankfurt/M.; that I am familiar with U.S. Patent Application Serial No. 09/499,997 filed February 08, 2000 for PHENYLSULFONYL UREAS, PROCESS FOR THEIR PREPARATION AND THEIR USE AS HERBICIDES AND PLANT GROWTH REGULATORS, that I consider myself qualified by my knowledge of biology and agriculture and especially of plant physiology, plant protection, weed control and environmental fate of pesticides and by my 7 years experience in this field; and that I have made the following observations to wit:

Example A

Example 2 of US 09/499,997 (post-emergence effect on weeds) was repeated with several compounds. The results are shown in table 1 below.

Table 1:

Compound	Amount [gAI/ha]	% Damage		
		ALOMY	AVEFA	AMARE
E I	80	90	90	100
E I	20	90	90	100
V I	80	85	70	70
	20	80	40	50
V II	80	30	20	100
	20	0	0	80

Abbreviations:

- E I: Compound 1-131 of US 09/499,997
- V I: Compound 126 of US 4,892,846 (Levitt) = D 1
- V II: Compound 1.26 of EP 0116518 (Schurter) = D 2
- gAI/ha: Gram Active Ingredient per hectare
- ALOMY: Alopecurus myosuroides
- AVEFA: Avena fatua
- AMARE: Amaranthus retroflexus

11/20/2001

Example B

Example 1 of US 09/499,997 (pre-emergence effect on weeds) was repeated with several compounds. The results are shown in table 2 below:

Table 2:

Compound	Amount [gAI/ha]	% Damage	
		ALOMY	LOLMU
E II	80	90	90
E II	20	70	80
V III	80	70	80
	20	50	20
V II	80	60	20
	20	20	0

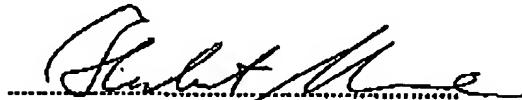
Abbreviations:

- E II: Compound 1-15 of US 09/499,997
 V III: Compound 63 of US 4,892,946 (Levitt) = D 1
 V II: Compound 1.26 of EP 0116518 (Schurter) = D 2
 gAI/ha: Gram Active Ingredient per hectare
 ALOMY: Alopecurus myosuroides
 LOLMU: Lolium multiflorum

The results obtained in Examples A and B show that the compounds of US 09/499,997 unexpectedly have a superior herbicidal activity.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Frankfurt am Main,
this 20... day of November, 2001



(Dr. Hubert Menne)